

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33172 of 2022

Sri Dilip Kumar Mohanty

..... Petitioner
Mr. B. Bhuyan, Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr. Arnav Behera, ASC

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER

07.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties.
 3. The present writ petition has been filed by the Petitioner with the following prayers:-

“Under these circumstances the Petitioner pray that your lordships would be graciously pleased to admit the writ petition, issue Rule NISI, calling upon the Opposite Party No.3 to show cause as to why the order of suspension made vide Annexure-3 shall not be quashed and that the Opp. Party No.3 shall not be directed to consider the representation vide Annexure-4, 5 and 6 and before taking any action provide an opportunity of personal hearing, in case the Opp. Parties fail to show cause or shown insufficient cause, the said Rule may be made absolute by issuing the writ of mandamus against the Opp. Party No.3, thereby quashing the Annexure-3 and directing him to consider the representation vide Annexure-4, 5 and 6 before proceeding any further.

And further pleased to pass any other writ/writs, order/orders, direction/directions as

would be deemed fit and proper to grant justice to the petitioner and to allow the writ application with cost throughout.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representations before the Opposite Party No.3 under Annexures-4, 5 & 6, but the same are still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authority concerned to consider the representations of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and without expressing any opinion on the merits of the case, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party No.3 to consider and dispose of the representations of the Petitioner under Annexures-4, 5 & 6 in accordance with law by passing a speaking and reasoned order within a period of six weeks from the date of production of certified copy of this order and the decision so taken thereon be communicated to the Petitioner within two weeks thereafter. Further it is directed that while considering the representations of the Petitioner, the Opposite Party No.3 be given opportunity of hearing to the Petitioner.

7. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge